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**FILED**OCT 14 2014  
OCT 14 2014THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT**D. Hunter**

1275 Lincoln Ave., Ste #1

St. Paul, MN 55105

612-395-9111(F)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS****Judge: Edmond E. Chang**Case NO. **14CV6011**,D. W. HUNTER, an Individual,  
LARNELL EVANS. JR., an  
Individual FOR THE ESTATE OF  
ANNA SHORT HARRINGTON, an  
Individual ("AUNT JEMIMA")  
PLAINTIFFS'

vs.

PEPSICO Inc., a Corporations,  
JANET LYNN SILVERBERG, an  
Individual, THE QUAKER OATS  
COMPANY, a Corporation,  
PINNACLE FOODS GROUP, LLC,  
THE HILLSHIRE BRANDS  
COMPANY, a Corporation, and  
DOES 1 through 25, inclusive,  
DEFENDANTS.**MEMORANDUM IN SUPPORT OF  
MOTION TO EXHUME THE  
GRAVES OF ANNA SHORT  
HARRINGTON, AND DELORIS  
HOFFMAN****MEMORANDUM OF LAW****Blacks Law Dictionary 5th Addition**

**Dred Scott Case.** The case in which the United States Supreme Court held that descendants of Africans who were imported into this country, and sold as slaves, were not included nor intended to be included under the word "Citizens" in the Constitution, whether emancipated or not, and remained without rights or privileges except such as those which the government might grant them. *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393, 15 L.Ed. 691.

1 All **true crimes** require two elements. The first is the prohibited act, referred to in  
 2 law as "**actus reus**". To be a crime this act has to be accompanied by "**mens rea**,"  
 3 criminal intent. The U.S. Supreme Court said in Morissette vs. U.S. that criminal intent  
 4 involves an "**evil – meaning mind**," variously described with respect to different crimes  
 5 as "**intentional**" **knowing, fraudulent, malicious** etc. Each crime has different **mens**  
 6 **rea**. For example the **mens rea** for murder is "**malice aforethought**." For there to be a  
 7 crime, the commission of prohibited act and criminal intent (**mens rea**) have to concur in  
 8 time.

9 In 1963 in an Illinois case, People v. Coolidge it was found "since every Sane  
 10 Man such as a "Seasoned Attorney" is presumed to intend all the natural and probable  
 11 consequences flowing from his/her **own deliberate act**, it follows that if one willfully  
 12 does an act, the natural tendency of which is to destroy another's life, the irresistible  
 13 conclusion is that the destruction of such other **persons life was intended**." It can also  
 14 be premeditated intend to do an act "**without regard for the life and safety of others**,"  
 15 which is implied malice. Malice does not necessarily imply ill-will, spite, hatred or  
 16 hostility by the perpetrator toward the bereaved. **Malice** is a state of mind showing a  
 17 heart [**not regardful**] **of the life and safety of others**...(i.e. Grandma Olivia Hunter)

18 Malice can also be defined as a condition of mind which prompts a person to do  
 19 willfully, that is, on purpose, without adequate justification or excuse, a wrongful act  
 20 whose **foreseeable consequences is serious bodily injury to another**. (i.e. 11/28/13 -  
 21 Constructive Notice of Sister L. Davis need of a Life-saving Surgery) Surely, the  
 22 Conspirator(s) knew or should have known failure to timely pay an equitable fair share  
 23 of royalties pending the matter concerning the heirs lawful rights of ownership would  
 24 manifest physical injury to the Great Granddaughter of Anna Short Harrington and  
 25 Olivia Hunter, pending the outcome of litigation. Whether or not the perpetrators intent  
 26 or state of mind committed acts that concurred in time rest only as a matter for a jury  
 27 trial to adjudicate the "**Mosaic of Guilt**".

28 DATED: October 8, 2014

Respectfully Submitted,



**CERTIFICATE OF SERVICE**

FOR THE COUNTY OF )  
 RAMSEY IN THE )ss.  
 STATE OF MINNESOTA )

Case No.: 14-CV-6011

I, \_\_\_\_\_, HEREBY certify that I am over the age of 18 years old, and located at 1275 Lincoln Ave., Ste #1, St. Paul, MN 55105. I certify that I have placed a prepaid postage, true and complete original to the court and copies to the party(is) of record at the U.S. Postal Office located at Post Office on the date of October 2014, for this action of the following:

**Motion + Memorandum to Exhume + Exhibits**

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Almee E. Graham John I. Grossbart The Hillshire Brands Company, Associate Dentons U.S. LLP 233 South Wacker Drive Suite # 7600 Chicago, IL 606-6-6404	Special Agent in Charge Robert J. Holley Federal Bureau of Investigation 2111 W. Roosevelt Road Chicago, IL 60608 Phone: (312) 421-6700 Fax: (312) 829-5732/38 E-mail: <a href="mailto:Chicago@ic.fbi.gov">Chicago@ic.fbi.gov</a>
c/o Clerk United States District Court Northern District of Illinois Everett McKinley Dirksen United States Courthouse 219 South Dearborn Street Chicago, IL 60604	

I declare under the penalty of perjury under the laws of the State of Minnesota and/or N. Carolina that the above is true and correct.

Date: 10/08/14

Respectfully Submitted,

